IN THE DRAWINGS:

Please amend the Drawings as follows.

Please delete Figure 4 in its entirety.

REMARKS

The Office Action dated February 14, 2008, has been received and carefully noted. The above amendments to the drawings and claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 14 and 20-24 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 16-19 have been canceled without prejudice or disclaimer. Claims 1-5, 7-15, and 20-28 are respectfully submitted for consideration.

Claims 14-27 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Office Action asserted that these claims contain subject matter that is not described in the specification. In response, the preamble of claim 14 has been amended to overcome the rejection. As such, the rejection is rendered moot. Withdrawal of the rejection is respectfully requested.

The Office Action asserted that the term "generator" in claims 15 and 24 is not described in the specification. In response, claims 15 and 24 have been amended to replace the term "generator" with "processor." With respect to claim 20, the Office Action asserted that the including unit, the sending unit, and the generator recited in this claim are not described in the specification. In response, claim 20 has been amended to recite "processor" to overcome the rejection. As such, it is respectfully requested that the rejection of claims 15, 20, and 24 be withdrawn.

Moreover, the Office Action asserted that "generating means" in claims 26-28 is not described in the specification. This rejection is respectfully traversed as follows. The specification clearly describes that a mobile station is typically provided with processor and memory means for accomplishing such tasks. Thus, generating the message is inherently described in the specification in such a way as to reasonably convey to a person of ordinary skill in the art that the Applicants has possession of the claimed invention. Also, including means and sending means are also inherently described in the specification. Therefore, it is respectfully requested that the rejection of claims 26-28 be withdrawn.

Also, the Office Action asserted that the "connecting unit" in claim 22 is not described in the specification. In response, claim 22 has been amended to replace the "connecting unit" with "processor" to overcome the rejection. Furthermore, with respect to claim 28, the above arguments are incorporated herein. Withdrawal of the rejection is respectfully requested.

Fig. 4 was objected to under 35 U.S.C. 132(a) because it allegedly introduces new matter into the disclosure. In light of the above claim amendments and the arguments, Thus, Fig. 4 has been canceled as requested by Office Action. Thus, the objection is rendered moot. Withdrawal of the objection is respectfully requested.

Claims 1-5, 7-13, and 15-28 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,725,053 of Rosen (Rosen). This rejection is respectfully traversed.

Independent claim 1, upon which claims 2-5 and 7-13 are dependent, recites a method that includes including floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session. The method includes sending the message from a communication system to a user equipment. The method includes generating the message in accordance with a session description protocol.

Independent claim 14 recites a computer program embodied on a computer readable medium comprising a program code configured to control a processor to execute a process. The process includes including floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session. The process includes sending the message from a communication system to a user equipment. The process includes generating the message in accordance with a session description protocol.

Independent claim 15 recites a system that includes a data network configured to provide data communication resources. The system includes an application server configured to connect to the data communication network, wherein the application server is configured to include floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session and to send the message to a user

equipment via the data network. The system includes a processor configured to generate the message in accordance with a session description protocol.

Independent claim 20, upon which claims 21-23 are dependent recites an apparatus that includes an application server configured to include floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session. The application server is configured to send the message to a user equipment via a data network. The apparatus includes a processor configured to generate the message in accordance with a session description protocol.

Independent claim 24, upon which claim 25 is dependent, recites a system that includes a node configured to transmit or receive a message describing a communication session, wherein the message carries data communication media information for the communication session and floor status information of a data communication media in relation to a party of the communication session. The system includes a processor configured to generate the message in accordance with a session description protocol.

Independent claim 26 recites a system that includes including means for including floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session. The system includes sending means for sending the message from a communication system to a user equipment. The system includes generating means for generating the message in accordance with a session description protocol.

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Independent claim 27 recites a system that includes data network means for providing data communication resources. The system includes application server means for connecting to the data communication network, wherein the application server means includes floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session and sends the message to a user equipment via the data network. The system includes generating means for generating the message in accordance with a session description protocol.

Independent claim 28 recites an apparatus that includes including means for including floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session. The apparatus includes sending means for sending the message to a user equipment via a data network. The apparatus includes generating means for generating the message in accordance with a session description protocol.

As will be discussed below, Rosen fails to disclose or suggest all of the features of the presently pending claims.

Rosen generally describes a method for reducing dormant-wakeup latency in a group communication network that provides for a significant reduction in the actual total dormant-wakeup time and the PTT latency perceived by the talker through caching the network-initiated wakeup triggers destined for target listeners, and delivering a wakeup

trigger to a target mobile station as soon as the target mobile station has re-established its traffic channel. See abstract of Rosen.

The Office Action has merely repeated the analysis as presented in the non-final Office Action of September 19, 2007. On page 9, item 8 of the Office Action, the Office Action took the position that the previously submitted arguments were not persuasive because the independent claims do not require that a single message comprises the floor status information and the data communication media information. However, the claims clearly specify including floor status information in a message carrying data communication media information. As such, the claims do specify that a single message comprises both the floor status information and data communication media information. Thus, the Office Action's position is clearly erroneous.

Furthermore, the Office Action asserted that Rosen discloses sending floor status information and data communication media information via session description protocol messages. The Office Action referred to column 6, lines 6-33, of Rosen. However, the cited portion of the description refers to messages sent on SIP channel 210 whereas the Office Action is alleging that the messages comprising floor status information and data communication media information are sent on channel 212. As such, the Office Action's analysis is completely inconsistent. On one hand, the Office Action stated that the messages corresponding to those defined in the claims are sent on channel 212 in Rosen, and on the other hand, the Office Action stated that these messages are disclosed as being

sent in accordance with a session description protocol, referring to a completely different channel, channel 210 in Rosen.

In view of the above, it is clear that the Office Action's interpretation is erroneous and that the previously submitted arguments are valid, and the previously submitted arguments are incorporated herein. The present claims clearly specify a message that includes both floor status information and data communication media information. Furthermore, the claims clearly specify that it is this message that is sent in accordance with a session description protocol as opposed to other messages on a different channel.

Therefore, Rosen fails to disclose or suggest, "including floor status information of a data communication media in relation to a party of a communication session in a message carrying data communication media information for the communication session, sending the message from a communication system to a user equipment, and generating the message in accordance with a session description protocol," as recited in claims 1 and similarly recited in claims 15, 20, 24, and 26-28. Rosen, thus, fails to disclose or suggest all of the features of the independent claims. As such, it is respectfully requested that the rejection to claims 1, 15, 20, 24, and 26-28 be withdrawn.

Claims 2-5, 7-13, 16-19, 21-23, and 25 are dependent upon claims 1, 15, 20, and 24. As such, claims 2-5, 7-13, 16-19, 21-23, and 25 should be allowed for at least their dependence upon claims 1, 15, 20, and 24, and for the specific limitations recited therein.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen. The Office Action acknowledged that Rosen does not expressly recite "instructions to be

encoded on the computer readable medium." The Office Action asserted that Rosen describes a memory and a processor in column 4, lines 10-11, of Rosen. The Office Action concluded that it would have been obvious to a person of ordinary skill in the art to store the instructions on a computer readable medium in order for the software to be executable on a processor. This rejection is respectfully traversed.
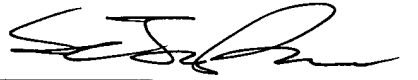
As discussed above, Rosen fails to disclose or suggest all of the features of independent claim 1. Thus, it would not have been obvious to a person of ordinary skill in the art to store the instructions on a computer readable medium in order for the software to be executable on a processor. As such, it is respectfully requested that the rejection to claim 14 be withdrawn.

For the reasons explained above, it is respectfully submitted that each of claims 1-5, 7-15, and 20-28 recites subject matter that is neither disclosed nor suggested in the cited art. Also, it is respectfully submitted that the subject matter is more than sufficient to render the claimed invention unobvious to a person of ordinary skill in the art. It is, therefore, respectfully requested that all of claims 1-5, 7-15, and 20-28 be allowed, and that this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned agent at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

Sejoon Ahn
Registration No. 58,959

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Tysons Corner, Virginia 22182-2700
Telephone: 703-720-7800
Fax: 703-720-7802

SA:dc